



DOCKET	
06-AFC-8	
DATE	AUG 06 2007
RECD.	AUG 06 2007

August 6, 2007

Mary Dyas, Project Manager
California Energy Commission
Facilities Siting Division
1516 Ninth Street, MS15
Sacramento, CA 95814-5512

RE: Bullard Energy Center (06-AFC-8) - Request to Suspend AFC

Dear Ms. Dyas:

Please find the enclosed original, 12 hard copies and 1 electronic copy (on CD) of the Request to Suspend Bullard Energy Center AFC letter from Bullard Energy Center, LLC dated August 6, 2007. An electronic copy of this letter was sent via e-mail to you and the proof of service list on August 6, 2007.

If you have any questions or concerns, please do not hesitate to call me at 714-648-2759.

Sincerely,

Margaret M. Fitzgerald
Program Manager

Bullard Energy Center, LLC

August 6, 2007

Mary Dyas
Energy Facility Siting Project Manager
California Energy Commission
1516 9th Street
Sacramento, CA 95814

Re: Bullard Energy Center - Request to Suspend AFC

Dear Ms. Dyas:

As we have discussed and has been docketed at the CEC, Bullard Energy Center, LLC ("Bullard" or "BEC") has encountered an unforeseen zoning matter with the City of Fresno which, consequently, has led the original project site land owner to not renew our option to purchase this parcel. However, BEC and the adjacent parcel owner, Abbey Transportation Systems ("Abbey"), have agreed in principle to pursue a long-term lease agreement for the adjacent parcel.

Rezoning will require approval by the City of Fresno Council to amend the City General Plan and to change the zoning classification from M-1 (light industrial) to M-3 (heavy industrial). The City has stated that the General Plan process will be conducted concurrent with the zone classification change. During this rezoning process, we respectfully request that the CEC suspend the AFC process. In the meantime, BEC will continue to work with our consultants, URS, Bibb & Associates, and others to revise the AFC to reflect the new site location. The new parcel along with the rezoning process and schedule are described below.

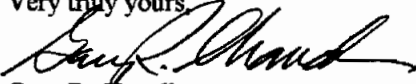
The Abbey parcel (APN No. 505-080-21S) consists of 22.49 acres, and shares the entire northern boundary with the original parcel (APN No. 505-080-22S). Both parcels are bound by Highway 99 to the west and Golden State Blvd. to the east. The Abbey parcel was originally to be used as the construction laydown area via a lease option with Abbey. BEC proposes to tie into the same 230 kV line via a new on-site sub-station, employ an on-site storm water pond, and use the same natural gas linear as in the present AFC. The balance of equipment, including the specifications and suppliers, will not change, although the general arrangement will change to fit the new parcel.

To accommodate the rezoning process, Abbey and BEC plan to execute an option for a long-term lease for the Abbey parcel prior to submittal of the application to the City. As portions of this property have been surveyed for the laydown area, we do not anticipate that the use of this new parcel will pose any significant changes to the AFC when reanalyzed for environmental or other impacts. This parcel will easily accommodate the Bullard project and requisite laydown area needs. Based on our discussions with the City, we believe the City will conduct a CEQA review independent of the CEC. However, the City has indicated that it

is willing to rely on the present AFC documents to a large extent for its CEQA needs, while also requiring revisions brought about by the new parcel.

BEC plans to submit the applications to the City by August 31, 2007. The City has informed us that the City Council will likely make a rezoning determination by first quarter 2008. BEC will request a resumption of the AFC approval process when the rezoning is approved or earlier if it determines that the application will likely be approved. During the "rezoning" period, BEC will continue dialog with the SJVAPCD regarding the air permit, the Fresno Utilities Department for water and offsets, as well as you and the CEC staff to update all as to the status of the rezoning effort and the impacts of the new site location. Should you have any questions, please contact me (801) 253-1278 or Maggie Fitzgerald at (714) 648-2759.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gary R. Chandler", written over a horizontal line.

Gary R. Chandler
President
Bullard Energy Center, LLC

Attachments

Cc: Service List

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA

**APPLICATION FOR CERTIFICATION DOCKET No. 06-AFC-8
FOR THE *BULLARD ENERGY PROOF OF SERVICE
CENTER (BEC)* (REVISED 7/20/07)**

**APPLICATION FOR CERTIFICATION
FOR THE *BULLARD ENERGY
CENTER (BEC)***

INSTRUCTIONS: All parties shall either (1) send an original signed document plus 12 copies or (2) mail one original signed copy AND e-mail the document to the address for the Docket as shown below, AND (3) all parties shall also send a printed or electronic copy of the document, which includes a proof of service declaration to each of the individuals on the proof of service list shown below:

CALIFORNIA ENERGY COMMISSION
Attn: Docket No. 06-AFC-8
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512
docket@energy.state.ca.us

APPLICANT

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APPLICANT'S CONSULTANTS

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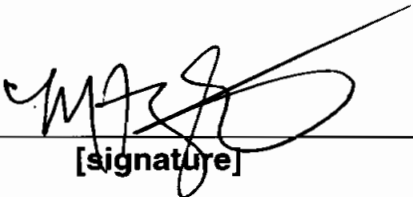
DECLARATION OF SERVICE

I, Maggie Fitzgerald, declare that on August 6, 2007, I deposited copies of the attached Bullard Energy Center – Request to Suspend AFC, in the United States mail at Santa Ana, California with first-class postage thereon fully prepaid and addressed to those identified on the Proof of Service list above.

OR

Transmission via electronic mail was consistent with the requirements of California Code of Regulations, title 20, sections 1209, 1209.5, and 1210. All electronic copies were sent to all those identified on the Proof of Service list above.

I declare under penalty of perjury that the foregoing is true and correct.


[signature]